

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.23446 OF 2011

ORDER:

This writ petition is filed by the petitioner seeking a writ, order or direction in the nature of Mandamus declaring inaction of the respondent in constituting Medical Board and examine the petitioner and issue Medical Board Certificate as illegal, arbitrary, unconstitutional and against the principles of natural justice and violative of Article 14 of the Constitution of India and consequently, to direct the respondent to dispose of his representation dated 25.06.2011 and pass an order.

2. Petitioner's case is that he is a contractor carrying contract works in Chattisgarh State; On 28.03.2007, while he was proceeding from Behar Village, Arang District, in a vehicle on national High Way No.6, a bus bearing registration No.CG 2A/6357 came in the opposite direction being driven by its driver at high speed and in a rash and negligent manner and hit the vehicle of the petitioner causing him grievous injuries including fractures to his left leg and spinal cord; he was shifted to Ramakrishna Hospital, Raichur, dated 28.03.2007; and that to have better treatment he joined in Yashoda Hospital, Secunderabad, wherein he took treatment from 01.04.2007 to 05.04.2007; the police of Behar, Arang District, registered a case in Crime No.56 of 2007 under Section 279 and 337 IPC and after investigation filed

final report before the court in the Chattisgarh. The petitioner's submission is that even after treatment he became permanently disabled and therefore, in order to prove his injuries and disability, he requires Medical Certificate issued by a Medical Board and therefore, he approached for the medical certificate to be issued by Medical Board of Nizam Institute of Medical Science. He made a representation dated 25.06.2011, but, even after expiry of considerable period no response was given by the respondent.

Hence, the writ petition.

3. Having regard to the facts submitted in the writ petition, this writ petition is disposed of at the admission stage, directing the respondent to consider the representation dated 25.06.2011 of the petitioner and take up the appropriate action thereunder within three weeks from the date of receipt of copy of this order. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

U.DURGA PRASAD RAO, J

24.08.2018
SS